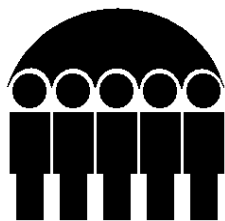


March 28, 2008

Employees' Manual
Title 17
Chapter F(1)

CHILD WELFARE

**PERMANENT PLACEMENT
PROCEDURES**



Iowa
Department
of
Human Services

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Life of the Case Phase: Permanent Placement

The overall goal for adoption and guardianship services is to secure permanent families for children who cannot live with their birth families due to the termination of their birth parents' rights or other reasons.

Link to [Legal Basis](#)

Link to [Definitions](#)

Placement Outcomes

- ■ Child safety
- ■ Permanency
- ■ Child and family well-being
- ■ Appropriate type, level, and intensity of services

Placement Decisions

- ■ Termination of parental rights
- ■ Approval of resource family
- ■ Specialized and targeted recruitment
- ■ Selection and approval of adoption placement
- ■ Negotiation and approval of subsidy agreement
- ■ Consent to adoption finalization
- ■ Rescission of consent to adoption

Placement Criteria

- ■ Legal basis
- ■ Child's needs and capacities
- ■ Resource family's needs and capacities

Scope of Chapter

This chapter describes state procedures for Department service workers who perform case management for children going to permanent placement. The organization of the policy and procedures chapters is aligned. For some topics in the procedures, there are no associated laws, rules, or Department-required policies. These procedures are in addition to the general procedures given in the case planning and case management chapters.

Unless otherwise specified, links to “Policy” in this chapter refer to Chapter 17-F, which summarizes the essence of the associated laws, rules, and Department-required practice for permanent placement procedures in a child welfare case.

Unless otherwise specified, links to “Practice Guidance” in this chapter refer to Chapter 17-F(2), which provides background information to supports the procedures or policy and the clinical or programmatic rationale for the actions that are required.

Adoption

Adoption may be chosen as the permanency goal when there is a poor prognosis for a child’s return home. See [Concurrent Planning for Children in Placement](#). Make placement decisions with the intent of providing the adoptive child with a home and family that can best meet the child’s needs.

Transition From Foster Care to Adoption

Link to [Policy](#)

Link to [Practice Guidance](#)

Foster care and adoption workers must develop a partnership to complete tasks mandated by law and policy. Department staff and private agency staff who have the most experience in working with the child need to share their knowledge with the adoption worker and are to be included in any decision making.

The period for transferring a child’s case responsibility from a foster care worker to an adoption worker is 45 days from receipt of the order for termination of parental rights.

Include children in the planning and tasks below when age-appropriate. Department service areas may develop more specific steps or tasks based upon this chapter.

Foster Care Staff Responsibilities

1. Determine if a permanency goal of adoption is appropriate by using supervisory and adoption staff, and if needed, other professional review of the case. (See [Planning for Permanency](#).)

Because the adoptability of a child is a consideration for the court in determining whether termination of parental rights should be granted, the availability of an adoptive placement should be discussed in this staffing.

2. If the decision is made that adoption is the best permanency goal, request that a [termination of parental rights](#) petition be filed. Enter the date of the request on the PRAH screen to start termination of parental rights tracking in FACS.
3. Notify the adoption worker at the time of the filing of petition to terminate parental rights and of the hearing date. Enter the filing date for the petition on the PRAH screen.
4. If not already done, obtain a certified copy of child's birth certificate for termination of parental rights.
5. Complete the court report for the termination of parental rights hearing as required by the juvenile court. Include the specific plan for an adoptive placement. Send a copy to the adoption worker or unit when completed.
6. Provide a brief update to the adoption worker or unit on the outcome and status of the termination of parental rights hearing shortly thereafter (i.e., oral order, potential for termination of parental rights based upon hearing events, etc.).
7. When an order terminating parental rights is received, arrange closure or final visit (as determined in the child's case planning process) with the child's biological parents or other significant relatives. (The adoption worker may arrange this visit.)
8. Make all FACS entries relevant to termination of parental rights described in the termination of parental rights section of the FACS Desk Aid.

9. Provide the adoption worker with:
 - ◆ A copy of the current case permanency plan, including current providers of service,
 - ◆ Form [470-4401](#), *Foster Child Behavioral Assessment*, completed at termination of parental rights,
 - ◆ The child study (Background Report Part 1), and
 - ◆ All other reports or documents (psychological reports, school reports or Individual Educational Plan, medical reports, etc.) that verify the child's [special needs](#).

Joint Responsibilities

1. As part of the concurrent planning process, begin the process of locating an adoptive placement.
 - ◆ The foster care worker should refer any person interested in adopting a specific child to the adoption worker for information and possible completion of an adoptive home study.
 - ◆ If there is no current potential placement available, the adoption worker will begin a search and recruitment efforts in order to locate one. (See [Finding an Adoptive Home](#).)
 - ◆ Document the search for an adoptive placement in the narrative of the child's adoption case and in the 45-day report to the court.

NOTE: You must submit a written report to the court within 45 days of the receipt of the termination order and every 45 days after that until the court determines that such reports are no longer necessary.
2. Complete a child study (form [470-3698](#), *Background Report Part 2*) within 30 days of termination of parental rights.

Service areas may establish specific policy on how the completion of the child study will be accomplished within the specified period. For example, in some parts of the state, the foster care worker does the portion of the study related to the child's social and medical history and the adoption worker does the portion related to adoptive placement.

3. Compile guardianship and adoption files separate from the foster care service file. Documents for these files should include at a minimum the following:

- ◆ Birth certificate
- ◆ Medical history
- ◆ Physical record
- ◆ Psychological reports
- ◆ School reports
- ◆ Service authorization history
- ◆ Child study
- ◆ Legal documents:
 - Petition to terminate
 - Court order for termination of parental rights
 - Release of custody if applicable
 - Any appeal petitions and orders

The foster care worker shall ensure that the foster care service file is up to date and is available to the adoption worker so that a guardianship and adoption files can be completed.

4. The adoption worker shall arrange a selection staffing when potential adoptive homes are available, inviting the foster care worker, foster care and adoption supervisors, and providers to participate.

EXCEPTION: The selection staffing may be waived if the adoptive placement is the child's current foster or relative placement and participants are in agreement with the adoption placement selection.

5. Complete a joint visit with the child and child's placement provider within 45 days of termination of parental rights.
6. The adoption and foster care supervisors shall ensure that tasks have been completed or that a plan exists to do so before transfer of the case to the adoption worker. A transfer staffing is an optional task that is a service area decision.

The unique circumstances of a particular child may involve operating outside of transition protocol. If so, supervisors, area service administrators, and service area managers will negotiate and agree upon responsibilities.

Adoption Staff Responsibilities

1. If a placement was not available when the case was transferred to you, continue efforts described below to locate an adoptive placement (see [Finding an Adoptive Home](#)) and document these efforts in the child's case file narrative.
2. Complete adoptive preplacement responsibilities. Services may be provided directly, by the recruitment and retention contractor or by the services area's [family safety, risk, and permanency services](#) contractor.
3. Complete the *Agreement of Placement for Adoption*, form [470-0761](#).
4. Ensure that the placement family understands the types of subsidies that may be available to them. When appropriate, negotiate an *Adoption Subsidy Agreement*, form [470-0749](#), or *Agreement to Future Adoption Subsidy*, form [470-0762](#).
5. Complete foster care reviews and court reports due after termination of parental rights but before finalization.
6. Complete all FACS entries relevant to adoption (refer to the FACS Desk Aid) and code the county of financial responsibility according to service area protocol.
7. Ensure that the case permanency plan is relevant to the current adoption circumstances.
 - ◆ Plan with the adoptive family for postfinalization contingencies, such as need for services, disruption, or dissolution.
 - ◆ Inform the family that postadoption (finalization) support services are available through the recruitment and retention of resource families contractor, Four Oaks/Iowa KidsNet.

For additional information, contact Iowa KidsNet Customer Services at 800-243-0756 or by e-mail to customerservice@iowakidsnet.com.
8. Complete the *Consent to Adoption*, forms [470-0755](#) or [470-0755\(S\)](#), to initiate adoption finalization procedures.

Finding an Adoptive Home

Link to [Policy](#)

Link to [Practice Guidance](#)

When the termination of parental rights is filed and adoption is the permanency goal, the adoption worker shall begin the process of locating an adoptive home.

1. For a Native American child registered with a tribe who is legally available for adoption or a child who is eligible for tribe membership but not yet registered, follow the [Indian Child Welfare Act](#) procedures before selection of a family and placement for the purpose of adoption.

NOTE: If the Indian Child Welfare Act is not adhered to, there exists a potential for adoptive placements to be reversed.

2. If the foster care worker is aware of any person (i.e., relative, foster parent) interested in adopting the specific child, the foster care worker shall follow local protocol for providing that contact information to you.

Contact that person and provide information and, if appropriate, refer the family to Iowa KidsNet for completion of the home study.

3. If there is no current potential placement available, begin a search or recruitment efforts to locate a family for the child by identifying and contacting:
 - ◆ Any interested relative to the [fourth degree of consanguinity](#) for potential adoptive placement. (The court may waive the home study for these relative placements.)
 - ◆ Relatives who are not within the fourth degree of consanguinity but who may be interested in adopting the child.
 - ◆ Any interested persons with whom the child has a significant relationship and who may be interested in adopting the child.
4. Register the child on the [Iowa Adoption Exchange System \(IAES\)](#) through FACS within 60 days of receipt of the termination of parental rights court order, unless the adoption program manager grants a deferral.

This timeline applies even when the birth parents are appealing the termination if no one with a significant relationship is being considered as a prospective adoptive family. Procedures for registering a child on IAES are found in the FACS Desk Aid.

Request a deferral of IAES registration if any of the following conditions exist:

- ◆ The child is in an adoptive placement.
- ◆ The child's foster parent or another person with a significant relationship is being considered as the adoptive family.
- ◆ The child needs diagnostic study or testing to clarify the child's needs and provide an adequate description of them.
- ◆ The child is receiving medical care or mental health treatment, and the child's care or treatment provider has determined that meeting prospective adoptive parents is not in the child's best interest.

A deferral for this reason shall be granted for no more than 120 days.

- ◆ The child is 14 years of age or older and will not consent to an adoptive plan, and the consequences of not being adopted have been explained to the child.
- ◆ The termination of parental rights is under appeal by the birth parents, and foster parents or other persons with a significant relationship continue to be considered as the prospective adoptive family.
- ◆ The court prohibits IAES registration and orders the child placed in a planned alternative permanent living arrangement.

The adoption program manager will grant a deferral upon receipt of a request via FACS based on one of these conditions.

- ◆ A deferral for medical care or mental health treatment expires after 120 days.
- ◆ A deferral for diagnostic study or consideration of adoption by a person with a significant relationship expires after 90 days. If the order terminating parental rights is appealed and a significant person continues to be considered as a prospective adoptive family, the deferral may be extended until 60 days after a final decision on the appeal.

When a deferral expires, register the child on IAES if the child does not qualify for another deferral category.

5. Arrange for the child's photo to be taken in preparation for [photo listing](#) the child on the Iowa exchange (www.iowakidsnet.com) and the national adoption exchange, [AdoptUsKids](#).
6. Complete form [470-3351](#), *Waiting Child Enrollment*, to enroll a child available for adoption with the contractor for recruitment and retention of resource families, Iowa KidsNet. This form authorizes Iowa KidsNet to post the child on the state and national exchanges.

Complete form [470-4155](#), *AdoptUsKids Website Waiver*, if a child should not be listed on AdoptUsKids.

Send one or both forms via mail, fax, or e-mail to:

Della Denger, Iowa KidsNet, 3125 Cottage Grove Avenue, Des Moines, IA, 50311 (Fax: 515-271-7450; e-mail: ddegner@iowakids.com)

7. If necessary, contact other resources for potential adoptive homes, such as:
 - ◆ Adoption workers in other counties and service areas
 - ◆ AdoptUsKids and other regional exchanges
 - ◆ Relatives
8. Document the search for an adoptive placement in the narrative section of the child's adoption case file or in FACS.
9. Within 45 days of the termination of parental rights and the transfer of guardianship to the Department, submit form [470-2889](#), *Report on Efforts to Place Child for Adoption*, to the juvenile court. NOTE: The juvenile court could mandate the use of a specific report format other than 470-2889.

This report must be submitted every 45 days thereafter, until the court deems the reports no longer necessary. This usually occurs after the adoption is finalized and the court closes the case.

This procedure documents compliance with [ASFA's](#) reasonable efforts regulations to secure a permanent home for the child.

Adoptive Family Approval Process

Link to [Policy](#)

Link to [Practice Guidance](#)

The Department has entered into a statewide contract with Four Oaks Family and Children's Services for the recruitment and retention of resource families that are available to be successfully matched with children who need care in a foster family setting, adoptive placement, or relative placement.

To accomplish this task, Four Oaks has subcontracted with Iowa KidsNet (a partnership of six licensed agencies) and several other licensed agencies that operate across the state. Four Oaks is responsible for statewide recruitment and retention activities and is responsible to:

- ◆ Provide families with orientation and preparation (PS-MAPP).
 - ◆ Assist families in completing the adoption approval process, which includes conducting all required record checks and fingerprinting.
 - ◆ Complete home studies, home study updates, and relative studies.
 - ◆ Provide families with ongoing support, including the provision of specialized support services to families that participate in the adoption subsidy program.
1. When individuals or couples contact the Department about adopting a child with [special needs](#), refer them to Iowa KidsNet for orientation and assistance in completing the adoption approval process.

Refer families who are interested in infant or international adoption rather than special needs adoption to the Iowa Association of Adoption Agencies (IAAA) web site (<http://www.iowaadoption.org>).

2. Iowa KidsNet will conduct all required record checks and fingerprint-based checks of the national crime databases (NCID) in accordance with the Adam Walsh Child Protection Act of 2006 (P.L. 109-239).
3. If there is a record of a founded abuse or a criminal conviction for the applicant or any person who is 14 years of age or older living in the applicant's home, Iowa KidsNet will send the Department the completed *Record Check Evaluation*, form [470-2310 or 470-2310\(S\)](#), to notify the Department that an evaluation is required.

4. The Department shall conduct an [evaluation](#) of a record of founded abuse or a criminal conviction on initial application and renewals.
EXCEPTION: Do **not** conduct an evaluation or approve for adoption a person convicted of any of the following felony offenses:
 - ◆ Domestic abuse
 - ◆ A forcible felony
 - ◆ A drug-related offense committed within the last five years
 - ◆ A crime against a child, including sexual exploitation of a minor
 - ◆ Child endangerment or neglect or abandonment of a dependent person
5. If the family passes the record checks, Iowa KidsNet will conduct the preservice training and preparation ([PS-MAPP](#)). At the conclusion of the training, participants will decide if they want to complete form [470-0743](#), *Application for Adoption*.
6. Iowa KidsNet will complete adoption home studies and updates and will:
 - ◆ Submit a completed home study and documentation to the Department within 110 days of the date the applicant began PS-MAPP training.
 - ◆ Submit a home study update at least 45 days before the expiration of the home study approval.
7. For out-of-state placements, complete requests for an adoptive home study through the interstate compact process. Follow [ICPC](#) procedures.
8. The Department worker that receives the home study or update will complete the following activities:
 - ◆ Send a copy of the *Adoption Notice of Decision*, form [470-0745](#), to the adoptive family and to Iowa KidsNet.
 - ◆ Enter the approved adoptive family into FACS as a provider and register the family on IAES. Procedures for registering a family on IAES are found in the IAES FACS Desk Aid.

Selection of Family

The Department is responsible for the selection of an adoptive family for a particular child. Conduct a selection placement staffing to select an approved family that can best meet the child's needs. The staffing shall include a minimum of one supervisor and two social workers, with other persons as deemed necessary.

1. Staffing participants shall review of child's special needs, characteristics, and anticipated behaviors, in an effort to match the child with a family whose parenting strengths can meet a child's needs.

Form [470-0774](#), *Adoption Staffing Summary*, and form [470-4401](#), *Foster Child Behavioral Assessment*, completed by the child's foster care worker at termination of parental rights may be used as a resource for this review.

2. Staffing participants shall consider the following additional placement criteria:

- ◆ A **relative** within the [fourth degree of consanguinity](#) must be given consideration for selection as the adoptive placement for a child who is legally available for adoption if:

- The child has a significant relationship with the relative, or
- The child is aged 14 or over and elects adoption by a relative.

NOTE: The court may waive the adoptive home study for relatives. Contact the juvenile court or county attorney for assistance to obtain a waiver. See [Identifying Relative Placements](#).

- ◆ **Siblings** should be placed together unless there are compelling reasons (e.g., extreme violence) why this would not be in the best interests of the children involved. The fact that siblings have not been placed together in foster care is not sufficient reason to place them in separate adoptive homes.
- If placing siblings together is not possible, or is not in the best interest of the children, identify the reasons and document them in each child's record.
- Make efforts to ensure continuous contact between siblings when they are not adopted by the same family.

- ◆ A child who is **sexually active** and is at risk of HIV infection or is HIV positive should not be placed in a family where other children reside, due to transmission risk.

If the family has a significant relationship with the child and wishes to accept the child, the family may request that an exception be made. [Exception requests](#) should be sent to the Appeals Section, Department of Human Services, 1305 E. Walnut Street, Des Moines, Iowa 50319-0114.
 - ◆ **Foster parents** should be given consideration for selection as an adoptive family if the child has been in the foster parent's care for one year or more, or the child has a significant relationship with the family. Giving consideration to foster families does not mean automatic approval. Seek families that can meet the needs of the child, not a child who can meet the needs of the family.
 - ◆ **Race, color, or national origin** may not be routinely considered in adoption placement selections. To comply with the requirements of [MEPA-IEP](#), all placement decisions must be made as an individualized determination of each child's needs. Determine the proposed adoptive parent's capacity to care for a child based on an assessment of the child's needs.
3. Staffing participants shall determine whether a prospective adoptive placement is in the best interest of the child, using the following tools:
- ◆ *Placement Consideration*, form [470-3616](#)
 - ◆ *Matching Tool*, form [470-3613](#)
 - ◆ *Placement Notification*, form [470-3617](#)

Adoption Support Services

Link to [Policy](#)

Link to [Practice Guidance](#)

Iowa KidsNet will provide preadoption and postadoption support services (including postfinalization) to adoptive families. Families may contact Iowa KidsNet directly for services, or the Department's adoption worker can make a referral to Iowa KidsNet.

To refer a family to Iowa KidsNet, call Iowa KidsNet Customer Services at (800) 243-0756 or e-mail: customerservice@iowakidsnet.com.

Before adoption finalization, adoptive families may be eligible to receive family safety, risk, and permanency services. After adoption finalization, adoptive families are not eligible for family safety, risk, and permanency services unless the case meets criteria for DHS service eligibility.

When the court orders the Department to provide services to an individual or family, charge a [fee](#) for the cost of service.

Preplacement Services

Link to [Policy](#)

Link to [Practice Guidance](#)

Preparation of Child

1. Complete the *Background Report Part 2*, form [470-3698](#). (The child's foster care worker is responsible for completing the *Background Report Part 1*, form [470-3615](#), within 30 days after termination of parental rights.)

File the *Background Report Part 2* in the child's case file and guardianship file.

2. Work with the child to prepare the child for adoption and to transition the child into an adoptive placement. Activities may include, but are not limited to, the following:
 - ◆ Counseling regarding issues of separation, loss, grief, anger, guilt, blame, and adjustment to an adoptive family.
 - ◆ Preparing or updating the child's life book (if not completed by foster parents). An older child can assist in compiling the life book, but you may need to compile one for a younger child
 - ◆ Talking to the child about age-appropriate community resources, such as children's support groups, that may assist the child in the transition from foster care to adoption. Older children can especially benefit from peer interaction and assistance.

NOTE: Child preparation activities may be provided by the family safety, risk, and permanency services contractor.

3. If appropriate, arrange for the child to be evaluated or tested before the child is placed in an adoptive family. Physical, mental, psychological, or emotional evaluations may signal a need for further counseling or treatment and may document the child's eligibility for adoption subsidy.
4. Discuss HIV testing and AIDS with older children when appropriate. Additional information regarding procedures for children who may be HIV positive is found in [Children With HIV or AIDS](#).
5. Service area funds may be used to purchase adoption resources such as birth certificates and life books for children. Payment for these items can be made via the GAX (General Accounting Expenditure) using the following codes:

Fund	001
Agency	413
Organization	PASE (NASE if decategorization)
Suborganization	Service area or county (county if NASE is used)
Object	2213 (2218 for birth certificates)

Preparation of Family

The goal of family preparation is to assist the adoptive family in expanding their knowledge and understanding of each child to be placed and to assess the family's readiness to accept the children into their family and encourage their commitment.

In addition to the [PS-MAPP](#) preservice training, preplacement family preparation services may be provided by the [family safety, risk, and permanency services](#) contractor.

After the adoptive family has been tentatively selected, family preparation activities may include the following:

1. Exchange information about the child and the family, including pictures.
2. Arrange a meeting (preplacement visit) between the family, the family's worker, and child's worker. At this meeting:

- ◆ Share information about the child with the family and answer their questions.
 - ◆ Ask the family about their feelings concerning the child and the impending placement.
 - ◆ Discuss plans for placement. Determine the number of preplacement visits, the visit locations, and the projected date of placement. Clearly explain to the adoptive parents that the placement will be a gradual process.
3. Provide the adoptive parents with background information regarding the child. Form [470-3614](#), *Adoption Information Checklist*, outlines the minimum information about the child that must be given to the adoptive family before the adoptive placement is made.
- ◆ *Background Report Part 1 and Part 2*
 - ◆ The child's life book
 - ◆ The birth parents' de-identified history (De-identify all information about the biological parents.)
 - ◆ Details about the child's history and child's experiences such as previous foster and adoptive placements
4. Share all information from the foster care provider regarding the child's behavior, including:
- ◆ Safety-related information as to whether the child has behaved in a manner that threatened the safety of another person, has committed a violent act causing bodily injury to another person, or has been a victim or perpetrator of sexual abuse.
 - ◆ A description of the child's special needs, behavior patterns, and medical needs, including whether the child is at risk of or is HIV positive.
 - ◆ A description of the child's reaction to the termination of parental rights and problems resulting from the child's separation, loss, grief, and anger due to the loss of the child's birth parents.

5. Counsel family members about the impact of adding the child to the family and how this may affect current family members.
6. Discuss with the family whether the child's special needs make the child eligible for benefits through the adoption subsidy program. If the child is eligible for subsidy:
 - ◆ Give the adoptive parents documentation of the child's eligibility for subsidy.
 - ◆ Make the family aware that the subsidy program provides resources to reimburse the family for preplacement visit expenses both in state and out of state.
 - ◆ Follow the procedures under [Adoption Subsidy](#).
7. Follow the interstate compact procedures for placement of a child into Iowa or out of Iowa. See [ICPC](#).
8. Upon placement of a child into an adoptive family, ensure that form [470-0761](#), *Agreement of Placement for Adoption*, is signed and completed by all necessary parties.

Postplacement Services

Link to [Policy](#)

After a child is placed in an adoptive family, the adoption worker will provide ongoing case management, supervision, support, and crisis intervention until the child's adoption is finalized. These services may be provided by Iowa KidsNet or the family safety, risk and permanent services contractors.

Postplacement services continue until the adoption is finalized, and include activities necessary to assist adoptive families to cope with and resolve problems of the child or children in their family, maintain placement stability and achieve adoption finalization. Postplacement activities include:

- ◆ Supervision of the adoptive placement and crisis intervention as needed.
- ◆ Completion of supervisory reports and court reports regarding the placement.
- ◆ Support for the child's social and emotional adjustment.

- ◆ Counseling with the family regarding methods of dealing with testing behaviors and discipline.
- ◆ Assessment of the degree of bonding that is taking place and the degree to which the child is becoming a permanent member of the family.

After adoption finalization, the adoptive family may access support services to maintain the safety and stability of the placement from Iowa KidsNet. For additional information, contact Iowa KidsNet Customer Services at 800-243-0756 or by e-mail to: customerservice@iowakidsnet.com.

Removal of Child

Link to [Policy](#)

The Department may remove a child from an adoptive family before the finalizing of the adoption when a supervisory review determines that this action is in the best interest of the child.

1. Discuss situations that may result in removal of the child from the adoptive family's home with the family before removing the child from the home.
2. Mail form [470-3018](#), *Letter of Removal*, to the family before the removal. Removal of a child from an adoptive family before finalizing the adoption is not an appealable issue, as the child continues to be under the guardianship of the Department until the adoption is finalized.
3. Refer the family to Iowa KidsNet for support. The family may be considered for another child, unless there has been abuse of a child in their home.
4. Assist the child in dealing with the emotional issues around adoption disruption, either directly or through referral to the family safety, risk, and permanency contractor.

Adoption Finalization

Link to [Policy](#)

When the 180-day supervisory period is over and no circumstances preclude the completion of the adoption, all parties should proceed with the necessary steps to finalize the adoption. The juvenile court maintains jurisdiction of an adoption case until finalization.

1. Discuss the legal procedure with the parents during the supervisory (waiting) period. NOTE: The juvenile court may waive the waiting period when the child is being adopted by:
 - ◆ A relative has cared for the child 180 days or more, or
 - ◆ Foster parents who have cared for the child for one year and a relationship has developed during the placement.
2. After the supervisory period has been completed:
 - ◆ Request the service area manager to sign form [470-0755](#), *Consent to Adoption*, and
 - ◆ Instruct the adoptive family to select an attorney to complete the adoption. To facilitate timely finalization, the family may select or retain an attorney before the final supervisory visit is made.

NOTE: The Department may rescind a *Consent to Adoption* for any of the following reasons by signing form [470-2990](#), *Rescinding the Consent to Adoption*, and submitting the form to the juvenile court:

- ◆ At the request of the adoptive family
- ◆ Upon a founded child abuse report, or accusation of child abuse, pending determination of the report
- ◆ Upon a conviction of a crime, or accusation of a crime, pending court decision regarding the crime
- ◆ At the request of the child who is aged 14 or over who has reversed the decision regarding adoption
- ◆ Due to other indications verified by you and reviewed by your supervisor that the adoption is not in the best interest of the child

3. After the family's attorney receives the *Consent to Adoption*, form 470-0755, from the Department, the family's attorney will file a petition to adopt.
NOTE: If family has applied for an adoption subsidy, the petition to adopt must contain a statement indicating that:
 - ◆ The child meets the definition of a [special needs](#) child, and
 - ◆ The family may need a subsidy now or in the future to meet the child's needs, as required by Iowa Code section 600.18.
4. When the petition to adopt has been filed, review the petition to ensure that:
 - ◆ It confirms the child's citizenship. If the petition does not include language that confirms the child's citizenship, notify the attorney immediately of the omission so that this statement can be included the final adoption decree.
 - ◆ If applicable, it contains a statement indicating that the child meets the definition of a special needs child, and the child is eligible for the subsidized adoption program. If the petition does not include the special needs statement, notify the family or the family's attorney immediately of the omission so that the attorney can amend the petition.
5. Within three days after the adoption petition is received from the attorney, complete the *Adoption IV-E Checklist*, form [470-4075](#).
6. Before finalization of the adoption, negotiate the *Adoption Subsidy Agreement*, form [470-0749](#), with the family.
7. Upon receipt of the petition to adopt, the court will issue an order requesting an investigation and set a time for a hearing.

The court will send the order to the agency ordered to do the investigation (usually the Department), and the agency will complete the investigation report: *Adoption Report to the Court*, form [470-3355](#).

The court report verifies that the child and family have been supervised and observed and supervisory (progress) reports have been written during the time the child resided in the family as a foster child.

8. The court will review the *Adoption Report to the Court* and set a final hearing date.

9. After the hearing, the court will issue a decree of adoption. A copy of the decree is given to the adoptive parents and a copy is sent to the Department.
10. The family's attorney prepares an abstract of the adoption. The clerk of court sends the abstract to the Bureau of Vital Records in the Department of Public Health. The attorney should include the required fee with the abstract to have an amended birth certificate sent to the family.

Although the adoption worker is required to obtain birth verification, this is confidential information provided for the Department's use and is not to be furnished to other people. Attorneys must obtain a copy directly from the Department of Public Health.

If the family and their attorney fail to secure a new birth certificate that confirms the child's citizenship, remind them to do so. Confirmation of citizenship is necessary to establish IV-E Medicaid eligibility for a special needs child.

NOTE: Click here for information regarding [international adoptions](#).

11. When finalization occurs, inform the juvenile court to ensure that the court case is closed. Also notify the child's guardian about the child's adoption status.

Procedure for Closing a Department Case

After an adoption is completed, no records pertaining to the termination and to the adoption are open to inspection. The identity of the birth parents of an adopted child shall not be revealed except under specific circumstances defined in Iowa Code section 600.16A.

After a child is legally adopted, send the adoption record to microfiche for retention. Follow the procedure listed below:

1. On a separate 8" x 11" sheet of paper, print the child's last name, first name, middle initial, and state identification number. Place the paper inside the child's case file on the top of the other information.

2. Make sure that the case file contains one copy of each of the following items (no duplicates):

- ◆ Child's birth verification.
- ◆ *Background Report Part 1* and *Part 2* (470-3615 and 470-3698).
- ◆ Court order terminating each birth parent's rights.
- ◆ Verification of death of a birth parent, if applicable.
- ◆ Procedendo from Attorney General's Office if the birth parents appealed the termination of parental rights.
- ◆ Adoptive family's approved home study.
- ◆ Signed adoption placement agreement (470-0761).
- ◆ Supervisory reports and report to court.
- ◆ Interstate compact forms, if the child was placed out of Iowa.
- ◆ Petition to adopt.
- ◆ Decree of adoption.
- ◆ Other information pertinent to a specific case.

NOTE: A copy of the following data from the case record is necessary for a subsidized adoption case:

- ◆ Form 470-0744, *Application for Subsidy*
- ◆ Form 470-0749, *Adoption Subsidy Agreement*
- ◆ Form 470-4075, *Adoption IV-E Checklist*
- ◆ Forms 470-3615 and 470-3698, *Background Report Part 1* and *Part 2*.
- ◆ Relevant reports to document the child's special needs, including current medical, psychological and school reports.
- ◆ The adoption petition and decree.

3. Remove staples from all data in the case file.
4. Mount any items on a half sheet of paper (such as the birth certificate) on a whole sheet of paper with tape.

5. Shred duplicates of data, as information is confidential.
6. Fill an entire box with cases readied for closure. Place a sheet of paper in each box with the names and state identification numbers of each child whose case is in the box.
7. On top of the box of readied cases, place the following label:

Division of CFS Hoover State Office Building, 5th floor Des Moines LOCAL	DHS 12
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Adding "DHS 12" to the label ensures that the microfiche case will be returned to central office for retention, not to local offices.

NOTE: If you have questions regarding microfiche, or the process for storing records, contact the Division of Child and Family Services at 515-281-5657.

Requests for Information From Sealed Adoption Records

When you receive a request for information from adoption records for **research** or **treatment** purposes:

1. Advise the requester to compile documentation that indicates that the information is needed for research or to treat a patient in a facility. Information should include:
 - ◆ Research to be conducted and benefits
 - ◆ The methodology of research
 - ◆ Confidentiality measures to be followed
 - ◆ Information and need for data of a patient to be treated
 - ◆ Documentation from the physician treating the patient
2. Send the documentation to the Adoption Manager, Division of Child and Family Services, 1305 E. Walnut Street, Des Moines, IA 50309-0114.
3. The Department director or designee will review the request and respond in writing, providing approval or denial. If denied, the reasons for denial shall be stated.

When you receive a request for information from adoption records for **other than research or treatment**, advise the person making the request to mail a written request to the Department of Human Services, Division of Child and Family Services, Adoption Program, 1305 E. Walnut Street, Des Moines, IA 50319-0114 or call 515-281-6216.

Adoption Subsidy

The Department shall provide adoption subsidy as a direct service primarily to children who are under the guardianship of the Department or a licensed child-placing agency in Iowa. The Department is responsible for:

- ◆ Determining the child's eligibility based on the documentation of special needs
- ◆ Determining the type of subsidy
- ◆ Negotiating the amount of maintenance subsidy with the adoptive parents
- ◆ Reviewing the family's circumstances and need for subsidy at the family's request

The following benefits are available to eligible children through the adoption subsidy program:

- ◆ [Monthly maintenance subsidy](#) payments
- ◆ Reimbursement for [special services](#)
- ◆ [Medical assistance \(Medicaid\)](#)

Application for Subsidy

Link to [Policy](#)

Link to [Practice Guidance](#)

A prospective adoptive family residing in Iowa who has been studied and approved for adoptive placement or a family residing outside of Iowa who has been studied and approved by a governmental or licensed child-placing agency in that state may apply for a subsidy for an eligible Iowa child.

1. To initiate an application for presubsidy or subsidy, the family completes the *Application for Subsidy*, form [470-0744](#). Applications shall be made at the time of the adoptive placement of the child or at any time in the adoptive process before finalization of the adoption. If the family indicates no need for subsidy, the family need not apply.

2. The family shall submit the application to the Department along with:
 - ◆ A statement from the adoptive parents indicating the family's circumstances, such as earned or unearned income of family members and expenditures that may affect their ability to meet the adoptive child's need.
 - ◆ Verification of any unearned income of the child from the source of the income, such as a letter of eligibility from Social Security Administration, a trust fund, or other sources.
 - ◆ Current private health insurance available to provide coverage for the child.
3. Within 30 days of receipt of the application, the Department shall determine whether a child meets eligibility requirements. If the child does not meet the criteria under [Eligibility Determination](#), the child is not eligible.

Possible dispositions of the application are:

- ◆ Approval (case active, presubsidy or subsidy agreement negotiated);
 - ◆ Approval (case inactive, *Agreement to Future Adoption Subsidy*, form [470-0762](#), negotiated);
 - ◆ Denial of the application; or
 - ◆ Withdrawal of the application. (The family shall immediately inform to the Department when the application for subsidy is withdrawn.)
4. If an application for subsidy is denied, provide an *Adoption Notice of Decision*, form [470-0745](#), to the applicant within 30 days of the date of application, stating the reason for denial and relevant legal reference.
 5. To initiate a subsidy, an *Adoption Subsidy Agreement*, form [470-0749](#), must be negotiated and signed by all parties before the child receives benefits.

NOTE: Before adoption finalization, an approved case is in **presubsidy status** and after finalization an approved case is in **subsidy status**. The *Adoption Subsidy Agreement* is completed for both case types. Checking the "agreement type" on this form designates the appropriate case type.

Referral From Child-Placing Agency

1. When subsidy is requested for a special needs child under the guardianship of a licensed private child-placing agency, follow the same policies as for a child under the Department's guardianship.
2. The agency having guardianship shall submit the following information to the adoption worker in the service area office where the adoptive family resides:
 - ◆ The signed placement agreement between the agency having guardianship of the child and the adoptive family
 - ◆ Legal documents establishing guardianship
 - ◆ Information necessary to determine the child's Title IV E eligibility
 - ◆ A copy of the child study (background reports)
 - ◆ Verification of any unearned income the child receives
 - ◆ A copy of the petition to adopt that contains a statement indicating that the child meets the definition of special needs and that the family may need a subsidy now or in the future to meet the child's needs, as required by Iowa Code Section 600.18
 - ◆ Documentation of the child's special needs
3. Explain the subsidy program to the family and work cooperatively with the private agency's worker and the family to complete the *Application for Subsidy*, form [470-0744](#).
4. Cooperate with the agency worker in negotiating the amount of maintenance subsidy needed by the family to meet the needs of the child and completing the *Adoption Subsidy Agreement*, form [470-0749](#).
5. The child-placing agency shall provide a copy of the final adoption decree or interlocutory decree to the Department at finalization.

Application After Finalization

An application for subsidy will not be routinely approved after the child is adopted. The purpose of the subsidy is to enable the child to be adopted.

An application for subsidy after finalization will be approved for a child who was a [special needs](#) child at the time of placement but was not diagnosed until after finalization, based on a federal ruling: ACYF Policy Interpretation Question 88 06, Eligibility for Title IV E Adoption Assistance.

An application for subsidy cannot be taken after a child is adopted, except in the following situations:

- ◆ Facts determining the child's eligibility were not presented before the finalizing of the adoption.
 - ◆ The child enters the country, is adopted, and meets the criteria described in [International Adoptions](#): Children From Outside the United States.
1. When a family requests adoption subsidy after the adoption of an Iowa child has been finalized, stating that the child's special need existed before finalization:
 - ◆ Request the family to provide documentation from a qualified specialist that the special need existed before the adoption was finalized (consistent with the child's special needs).
 - ◆ Review the child's situation, ensuring that a qualified specialist has documented a special need.
 2. When a family requests subsidy for an international adoption, request the family to provide:
 - ◆ A copy of the adoption decree.
 - ◆ Documentation of the child's special need.
 - ◆ Claim form [GAX](#), *General Accounting Expenditure*.
 - ◆ Receipts for the nonrecurring expenses to be reimbursed.
 3. Mail the request for an administrative review with verification to the adoption program manager, Division of Child and Family Services. Include the child's name, date of birth, and date of adoption.

4. The adoption program manager shall conduct an administrative review of the eligibility factors and render a decision within 30 days of receipt of request. If additional verification is needed, a decision will be rendered 30 days after receipt of the additional material.
5. Whether or not the child is approved as a special needs child, the administrative review letter shall notify the family and the worker stating the reasons for approval or denial. If the family's request is denied the family may request a "fair hearing" (administrative review) of the decision.
6. Subsidy benefits may not begin until after the family receives a decision approving eligibility. If the child is approved as a special needs child:
 - ◆ Complete the *Application for Subsidy*, form [470-0744](#).
 - ◆ [Negotiate](#) the subsidy amount and complete form [470-0749](#), *Adoption Subsidy Agreement*. Have all parties sign the agreement.
 - ◆ File the agreement according to standard procedures. Retain the approval decision in the subsidy case file for auditing purposes.

Eligibility Determination

Link to [Policy](#)

1. Review and process applications for adoption subsidy as soon as possible, but reach a decision regarding disposition no later than 30 days after the date of application.
2. Determine whether the child:
 - ◆ Could be adopted without a subsidy; and
 - ◆ Meets the [special needs](#) criteria. You may consult with your supervisor regarding whether the child's meets the special needs eligibility criteria.

For information regarding eligibility determination for a child who enters the United States from another country, see [International Adoptions](#).

NOTE: The adoptive **parents'** income is not relevant to the child's eligibility for subsidy. Use of a means test is prohibited.

IV-E Eligibility

1. Determine eligibility for federal Adoption Assistance under Title IV-E of the Social Security Act for all children adopted with an adoption subsidy agreement.
2. Complete form [470-4075](#), *Adoption IV-E Checklist*, and send it with the required documentation to the IV-E Eligibility Unit for processing. See 13-B, [DETERMINING TITLE IV-E ELIGIBILITY](#), for more information on IV-E requirements and processes.
3. Complete FACS Report [S472N111-01](#), *Foster Care and/or Subsidized Adoption Information Exchange*. This report provides IM workers with information that is needed to determine IV-E eligibility for children eligible for the adoption subsidy program

Eligibility Documentation

1. When a child has been determined eligible for an adoption subsidy document in the narrative of the child's case record the following:
 - ◆ The adoptive placement is in the best interest of the child
 - ◆ The child's special need (medical, mental or emotional condition)
 - ◆ The family's need for a subsidy in order to adopt the child and continue to meet the child's needs
 - ◆ Efforts made to place the child without subsidy, unless:
 - The adoption placement is with the current or former foster parents or relatives who can meet the child's needs and provide the permanency and continuity needed by the child; and
 - This family needs and requests a subsidy to continue to meet the special needs of the child.

Document your use of the Iowa Adoption Exchange, national exchanges, photo listing newsletters, media presentations, etc., in an effort to secure an adoptive family without the provision of subsidy, unless you have determined that it is in the child's best interest to be adopted by the foster parents or relative.

2. If the child's eligibility is based on physical, mental, emotional, or behavioral conditions or disabilities, or the child is at high risk of developing any of these conditions or disabilities, written reports or statements from a qualified professional must document the condition or disability.
 - ◆ Material previously obtained from physicians, mental health, or mental retardation professionals for other purposes, and the child's *Background Reports Part 1 and Part 2*, is sufficient, unless there has been a substantial change in the child's condition since the material was prepared.
 - ◆ All information and applicable documentation for cases that are active, inactive, or denied must be retained in a locked file.
3. Instruct a family who receives [FIP](#) and adopts a special needs child to notify the worker who has the FIP case of the addition of the child and the monthly subsidy payment. The family is responsible for reporting the subsidy to the FIP worker.

Denial of Application

1. Within 30 days of receipt of the application, determine whether a child meets eligibility requirements. If the child does not meet the criteria, the child is not eligible.
2. If an application for subsidy is denied, provide an *Adoption Notice of Decision*, form [470-0745](#), to the applicant within 30 days of the date of application, stating the reason for denial and relevant legal reference.
3. The applicant may appeal an adverse determination according to policies in 1-E, [APPEALS AND HEARINGS](#). Appeal rights are explained on the back of the *Adoption Notice of Decision* form 470-0745.

Negotiating Subsidy Payments

Link to [Policy](#)

After the family has been selected, the worker must negotiate with the family the amount and kind of subsidy that the child is eligible to receive and the family believes they will need in order to maintain the placement.

1. Negotiate the type and amount of adoption subsidy based on:
 - ◆ The special needs of the child for services and assistance;
 - ◆ The resources needed to address those special needs and the expenses expected to be incurred for the child;
 - ◆ The adoptive family's circumstances (i.e., financial, medical resources) and whether the family requires financial or other assistance to meet the needs of the child;
 - ◆ The child's unearned income; and
 - ◆ Community resources available to the child and family.
2. Use the family's medical insurance, Medicaid, Child Care Assistance, or any services available free of cost before expending of subsidy funds. When community services are available and will meet the needs of the child and family, use them before expending subsidized adoption funds.
3. Before expending subsidy funds, assist families in exploring other community resources available to them to help meet the child's needs, such as federal, state, or local government or private programs. For example, the family should be encouraged to all apply for SSI for a handicapped child.

Organizations such as the Easter Seal Society, Muscular Dystrophy Association, Child Health Specialty Clinics, and many others related to specific medical conditions provide services that may assist the family in coping with the child's needs. These include diagnostic service, training or educational services, appliances and equipment, and home health aides.

Monthly Maintenance Subsidy

If a maintenance subsidy is needed, negotiate a specific amount necessary to enable the adoption and to ensure with the family that the child's needs can be met.

1. Base the negotiated amount of maintenance subsidy on specific needs of the child and circumstances of the family.

The maximum maintenance payment a child is eligible to receive is the rate the child received in family foster care at the time of adoption placement.

If the child was residing in a group care setting at the time of the adoption placement, the child shall receive a special care allowance up to the rate the child would have been eligible for in family foster care.

You may negotiate subsidy payments at a lower rate if the family indicates a lesser amount is adequate to meet the child's needs.

2. Negotiate any special maintenance allowance when negotiating the maintenance allowance. Use the *Foster Child Behavioral Assessment*, form [470-4401](#), completed after termination of parental rights, as a tool, to determine whether the child's needs would have justified a special care maintenance allowance in foster care.

Children **not** eligible for the special maintenance allowance are children whose eligibility for maintenance subsidy is based only on being:

- ◆ A Caucasian child age eight or over
- ◆ A minority or biracial child age two or older

3. You may negotiate a special care maintenance allowance up to \$5.00 per day above the maximum basic daily rate for children who have physical, mental, or emotional problems, to assist in providing the extra care associated with the child's special needs.

4. You may negotiate a special maintenance allowance of up to \$10.00 per day above maximum basic daily rate when the child was receiving that amount in family foster care at the time of the adoption placement and the family indicates that the additional amount will be needed to assist in providing the extra care associated with the child's special needs.
5. You may negotiate a special maintenance allowance of up to \$15.00 per day above maximum basic daily rate when the child was receiving that amount in family foster care at the time of the adoption placement and the family indicates that the additional amount will be needed.
6. Enter the negotiated amount on the *Adoption Subsidy Agreement*, form [470-0749](#), each time the agreement is completed.
7. Revise the payment amount on the FACS adoption constant payment screen. NOTE: FACS makes an across-the-board change in the basic rate increase automatically. It is not necessary to complete a new *Adoption Subsidy Agreement*, form 470-0749, unless the family requests a review.

The maximum daily payment for a child in subsidized adoption is summarized in the following chart of maintenance allowances by age and special needs of the child, effective July 1, 2008:

Age of Child	Basic Daily Rate	Maintenance Plus \$5.00 Per Day	Maintenance Plus \$10.00 Per Day	Maintenance Plus \$15.00 Per Day
0-5 years	\$16.36	\$21.36	\$26.36	\$31.36
6-11	17.01	22.01	27.01	32.01
12-15	18.62	23.62	28.62	33.62
16-20	18.87	23.87	28.87	33.87

Subsidy payments are pre-paid for the month in which they are received. For example, a subsidy payment received in June is for the month of June, not postpayment for May as in foster care.

Special Services Subsidy

In addition to subsidy payments a special service subsidy may also be negotiated based on the documented needs of the child. See [Types of Special Services Subsidies](#).

The services provided must meet the child's needs. Special service subsidies can be provided for an eligible child even in cases where a maintenance subsidy is not needed. Special service payments may be made before finalization, when the child is in the presubsidy status.

1. Negotiate all special services and obtain documentation of the family's stated need for special services to maintain the placement.
2. Establish the need for special services by assessing the needs of the child as documented in the child's case record. Review:
 - ◆ The *Background Report 1*, form 470-3615;
 - ◆ The *Background Report 2*, form 470-3698;
 - ◆ The *Foster Child Behavioral Assessment*, form 470-4401; and
 - ◆ Other reports in the child's record from the private or public agency that had guardianship of the child that may substantiate information from specialists.
3. Negotiate with the family and providers to establish the specific level of service required. Make a reasonable effort to obtain estimates from at least two providers for supplies and equipment or remodeling to secure the service needed at the lowest possible cost that will meet the identified need. (In some instances, only one provider may be available.)
4. Pay only allowable special services not covered under Medicaid. The family must provide verification of payment, such as receipts, for all special service payments paid directly to the family or to a provider.

NOTE: The family may request a policy exception from the director of the Department for services that are needed but not included in the allowable list of services.

5. Obtain approval from the adoption program manager for any single special service and any special service delivered over a 12-month period costing [\\$500 or more](#).

6. Enter the service and the negotiated amount on the *Adoption Subsidy Agreement*, form [470-0749](#), each time the agreement is completed. Revise the payment amount on the FACS adoption Special Issuance payment screen.
7. Issue the payment through the FACS Special Issuance screen.

Special Services Subsidies Over \$500

Special services costing \$500 or more must have prior approval from the adoption program manager in the Division of Child and Family Services before program funds are expended. This includes services delivered within a 12-month period, such as, counseling, therapy or any special service expected to exceed \$500 in total.

1. A van lift for a physically handicapped child's wheelchair at a cost of \$2,000 must have prior approval.
2. Adding a ramp to the home for wheelchair access at a cost of \$400 needs no prior approval.
3. Specialized telephone equipment for a hearing-impaired teenager at a cost of \$350 plus \$25 monthly service charges must have prior approval for the first year. The monthly service charges do not need prior approval thereafter.
4. Specialized camp two weeks annually to deal with severe emotional problems, at a cost of \$1,000, must have prior approval each year.
5. Special equipment for a child's wheelchair costing \$200 needs no prior approval.

1. To obtain prior approval for a special service costing \$500 or more, submit a request for approval to the adoption program manager in the Division of Child and Family Services via e-mail or inter office memo. Include the following information:
 - ◆ Name of the child
 - ◆ Explanation and documentation of the child's special needs
 - ◆ Estimated costs for durable goods, and services
 - ◆ Availability of community resources
 - ◆ Family circumstances and amount of family contribution

2. The adoption program manager will respond to the request in writing within 30 days of receipt of request. The response shall be one of the following:

- ◆ Request for further information,
- ◆ Denial of request, or
- ◆ Approval of request.

The reason for a denial will be provided. Approvals will include:

- ◆ The amount approved, and
- ◆ The period specified. Approvals may not extend beyond the end of the fiscal year (i.e., June 30).

Adoption Subsidy Agreement

Link to [Policy](#)

1. Formalize the amount and types of subsidy negotiated through an agreement between the adoptive parents and the Department, using form [470-0749](#), *Adoption Subsidy Agreement*.
2. Once the adoption subsidy agreement is finalized (signed by all parties), subsidy payments cannot be reduced without the concurrence of the adoptive parents unless there is an across-the-board reduction in foster care maintenance payments.
3. The adoptive parents can negotiate to amend the initial agreement if the circumstances of the child or parents change.

Preadoption Subsidy

1. Negotiate the preadoption subsidy terms and complete the *Adoption Subsidy Agreement*, form [470-0749](#), with the family on the date the child is placed in the adoptive home or any date up to but not including the date the adoption is finalized.
2. Document the amount of the presubsidy, the frequency, and the duration, on the *Adoption Subsidy Agreement*, form 470-0749. Ensure that all parties sign the *Adoption Subsidy Agreement*.
3. Indicate the child's IV-E Medicaid status on the *Adoption Subsidy Agreement* when information is received from the IM worker regarding the child's IV-E status.

4. Presubsidy payments cannot be made before the date the *Application for Subsidy*, form [470-0744](#), and the *Adoption Subsidy Agreement*, form 470-0749, are signed by all parties.

Adoption Subsidy

1. Negotiate the adoption subsidy terms with the family and complete the *Adoption Subsidy Agreement*, form [470-0749](#), before the date the adoption is finalized. The *Adoption Subsidy Agreement* cannot be completed after the adoption finalization date.
 - ◆ Document on the *Adoption Subsidy Agreement* the amount, frequency, and duration of the subsidy.
 - ◆ Ensure that all parties sign the *Adoption Subsidy Agreement*.
2. When the child's has received presubsidy, complete a new *Adoption Subsidy Agreement* when the adoption is finalized. Change the case name on the subsidy case to the child's adoptive name.
3. A subsidy application can be approved either for current or for future needs. Subsidy payments cannot be made before the date the *Application for Subsidy*, form [470-0744](#), and the *Adoption Subsidy Agreement* are signed by all parties.

Future Needs

1. Negotiate a future needs adoption subsidy agreement when:
 - ◆ The family has a concern about the need for subsidy in the future, and
 - ◆ The child as been determined by a qualified professional to be at high risk of developing a [special need](#) (medical, mental or emotional condition) in the future.
2. The family must submit documentation that a qualified professional has determined that the child is at high risk of developing a special need.
3. The family should complete form [470-0762](#), *Agreement to Future Adoption Subsidy*. If applicable, reimbursement of non-recurring fees should be included in the *Agreement to Future Adoption Subsidy*.

Medical Assistance

Link to [Policy](#)

Inform the family during the subsidy negotiation process that the family's health insurance must be used before expenditure of state or federal funds. If necessary, a [special services subsidy](#) may be authorized to reimburse the family for the cost of an additional premium to add the child to the family health insurance coverage that results from the child's special needs.

The Department provides Medicaid to:

- ◆ All children receiving adoption presubsidy or subsidy payments for whom the Department has some financial responsibility.
- ◆ Children who reside in Iowa and receive a [IV-E funded](#) subsidy payment through another state.
- ◆ Children who reside in Iowa and receive a state-funded subsidy payment through another state that has a reciprocity agreement with Iowa.

Even though a child in a presubsidy or subsidized adoption placement is automatically eligible for Medicaid, the child's circumstances must be examined to determine the funding source used to pay for the child's medical care.

- ◆ The cost of providing Medicaid to children who meet the eligibility criteria in Title XIX of the Social Security Act is paid with both state and federal funding.
- ◆ The cost of providing Medicaid to children who do not meet these criteria is with 100% state dollars.

NOTE: When a child from Iowa is placed for adoption in another state, or a child with special needs moves from Iowa to another state with the preadoptive or adoptive family, the adoption worker should follow the [Interstate Compact on Adoption and Medical Assistance \(ICAMA\)](#) procedures. This ensures that the child continues to receive medical assistance (Medicaid) wherever the child and family reside.

The IV-E income maintenance (IM) worker shall determine Medicaid eligibility for children in the subsidized adoption program. A child who is not IV-E eligible may be federally eligible under another Medicaid coverage group, such as the Child Medical Assistance Program (CMAP), the Mothers and Children (MAC), or Medically Needy, or may receive coverage by 100% state-only funds.

Determining Medicaid eligibility and funding source is a cooperative effort between the adoption worker and the IV-E IM worker. The adoption worker is responsible for ensuring that the information available to make the determination is provided to the IM worker.

1. Submit to the IV-E IM worker FACS report [S472N111-01](#), *Foster Care and/or Subsidized Adoption Information Exchange*, to provide the information the IM worker needs to determine Medicaid eligibility for the child.
2. The IV-E IM worker will determine eligibility and authorize issuance of a medical assistance eligibility card through the ABC system. During the presubsidy period, the child's maintenance payment is not considered as income when determining medical eligibility for the child.
3. When you receive information from the IM worker regarding the child's IV-E status, indicate the child's IV-E Medicaid status on the *Adoption Subsidy Agreement*, form [470-0749](#).
4. When the adoption is finalized, inform the family that they need to complete a new Medicaid application using the child's adoptive name. This will assist the IM worker in determining the correct participation code for Medicaid.

When the adoption is finalized, the adoptive parents' and siblings' needs, income, and resources are considered when determining Medicaid eligibility for the entire adoptive family. However, IV-E and non-IV-E Iowa children are always eligible for Iowa Medicaid.

If the child is receiving SSI, the family should also notify the Social Security Administration of the finalization and name change.

5. The IM worker will close the presubsidy Medicaid case and open a new case in the child's adoptive name. This procedure is necessary to protect the confidentiality of the adopted child.
6. The family's medical insurance may not cover the child before the adoption is finalized or for a period afterward. As soon as the child is covered by the family's insurance, provide the name and address of the health insurance company to the IM worker along with the date when the coverage takes effect.

7. When notified of new insurance coverage, the IM worker will:
 - ◆ Issue form [470-2826](#), *Supplemental Insurance Questionnaire*, to the family.
 - ◆ Send the results to the Iowa Medicaid Enterprise Third-Party Liability Unit.
 - ◆ Refer the family to the Health Insurance Premium Payment (HIPP) Unit for a determination on whether Medicaid should cover the family's insurance premium.
8. The IV-E IM worker completes reviews of Medicaid eligibility according to the provisions of the child's coverage group.

Whenever possible, the Medicaid review shall coincide with the service review. However, Medicaid reviews shall not be delayed beyond one year in order to coincide with the service review. Instead, they shall be completed earlier in order to coordinate both reviews.

The IM worker will issue a review form to the adoptive parents allowing enough time for completion and return. If the review form is not returned, the IM worker may request assistance in obtaining information necessary to complete the review.

Medicaid Benefits Guidelines

Medicaid coverage is not restricted to services associated with the special needs of the child. Medicaid policy precludes restriction to services associated with the handicapping condition or disability. The Medicaid card may be used for any service allowed under the Medicaid program.

Requests for reimbursement for medical transportation must be accompanied by a completed form [470-0386](#), *Medical Transportation Claim*. Instruct the family to follow the instructions on the back of the form. Receipts must be submitted for lodging. Keep verification of the medical transportation and receipts in the child's subsidy case record.

Ongoing Case Responsibility

Link to [Policy](#)

Setting Up a New Subsidy Case

Approved cases are categorized as follows:

- ◆ Case opened and active: The child is eligible for subsidy.
- ◆ Case inactive: The child is eligible, but the child or family does not currently require the assistance.

For initial approval of an active case:

1. Complete an *Adoption Subsidy Agreement*, form [470-0749](#).
2. Provide the applicant an *Adoption Notice of Decision*, form [470-0745](#), within 30 days of the date of application.
3. Open a FACS case. Record the child's social security number into FACS as follows:
 - ◆ For presubsidy cases, enter the child's birth name and original social security number.
 - ◆ For subsidy cases, enter the child's new name. If a new social security number has not been issued, enter 9s (999 99 9999) for the number. Enter the new social security number into FACS when it is issued.
4. To move from a case presubsidy to subsidy status, obtain a new state ID number for the case. FACS will generate an "alert" to notify you to obtain a new state ID number for cases that were previously in a presubsidy status.

To obtain a state ID number for cases that were not previously in a presubsidy status, contact the FACS Help Desk at 1-800-831-6312 for assistance.

5. Make all adoption subsidy maintenance payments through FACS on the Adoption Constant Payment screen. Note that a presubsidy case remains under the child's birth name.

For cases that are approved but inactive:

1. Provide an *Adoption Notice of Decision*, form 470-0745, to the applicant within 30 days of the date of application.
2. Prepare form [470-0762](#), *Agreement to Future Adoption Subsidy*, in place of forms [470-0744](#), *Application for Subsidy*, and 470-0749, *Adoption Subsidy Agreement*.
3. Follow procedures for opening a subsidy case record, but do not enter the case in FACS. Keep this information in the case file for future use.

Subsidy Case Record

Open a separate subsidy case record for each child receiving subsidy or is covered by a future subsidy agreement.

Keep subsidized adoption records confidential and secure. Store subsidy case records in a locked file.

When a child enters the presubsidy program, open the case in the birth name of the child.

When the adoption is finalized, instruct the adoptive family to obtain a new social security number in the adoptive name of the child. Instruct the family to take a copy of the adoption decree to the Social Security Administration office. NOTE: The Social Security Administration may refuse to issue new social security number for the child, even though made aware of eliminating the link to birth parents.

To convert a presubsidy case to a subsidy case:

1. Close the child's FACS case.
2. Open a new FACS case in the child's adoptive name.
3. Assign a new state ID number.
4. Enter 999-99-9999 for the social security number.
5. When you are provided the new social security number, send a brief memo of explanation and a *Quality Assurance Transmittal*, form [470-0271](#), to Quality Assurance, 1305 E. Walnut Street, requesting they enter the child's new social security number and ensure confidentiality of the child's birth name.

When the Social Security Administration refuses to assign a new number, repeat all the steps 1 - 5 and send the *Quality Assurance Transmittal*, form 470-0271, explaining that the social security number is the same number currently assigned to the child, asking that confidentiality be ensured to prevent linkage between the birth name and adoptive name.

6. Compile and retain the following in the subsidy case record:

- ◆ *Application for Subsidy*, form [470-0744](#)
- ◆ *Adoption Subsidy Agreement*, form [470-0749](#), or *Agreement to Future Adoption Subsidy*, form [470-0762](#)
- ◆ Legal documents stating the agency (public or private) that has guardianship of the child
- ◆ Verification and documentation of IV E eligibility, or a statement that the child is not IV-E-eligible
- ◆ Child study/social history
- ◆ Adoptive home study
- ◆ Petition to adopt
- ◆ Adoption decree
- ◆ Verification of the child's special needs (medical, psychological, and psychiatric reports)
- ◆ A statement from the family's attorney stating the legal expenses for the adoption, including the court costs, if paid with subsidy funds
- ◆ Notices of decision
- ◆ *Agreement of Placement for Adoption* (form [470-0761](#), for a Department case)
- ◆ *Health Services Application*, form [470-2927](#) (for the COBRA-eligible child only). Retain this for medical reviews. The COBRA child is not eligible for Iowa maintenance payments.
- ◆ Other information pertinent to the case (e.g., case narrative, receipts for special service payments, etc.)
- ◆ [ICAMA](#) (Interstate Compact on Medical Assistance) forms, each time the adoptive family moves to another state

Maintain subsidy case records in a locked file after the case is closed. Destroy subsidy cases that have been audited when the child reaches majority age. Subsidy cases that have not been audited must be retained an additional three years.

Since inactive cases can be reinstated, the inactive subsidy case record must be retained as though it were active until the child reaches majority age.

Case Review

The *Adoption Subsidy Agreement* is a contract between the Department and the family. It is in effect until reviewed and replaced by a new agreement or until terminated.

An adoptive family may request a review of the subsidy agreement whenever there is a change in the family's circumstances. The family has the responsibility to report changes regarding the special needs of the child and changes in the family's circumstances that affect the family's ability to meet the needs of the child.

When the family requests a review of the subsidy agreement, negotiate the subsidy based on family circumstances and the needs of the child.

- ◆ Based on the negotiation, complete a new *Adoption Subsidy Agreement*, form [470-0749](#). If the adoptive parents have divorced or separated, use the circumstances of the parent having custody of the child to negotiate the subsidy.
- ◆ Send an *Adoption Notice of Decision*, form [470-0745](#), and a copy of form 470-0749 to the family.

Review the subsidy agreement when the child reaches the age of 17½ to determine whether the child is eligible to receive a subsidy through age 21 due to the child's physical or mental disability. The disability shall be diagnosed by a physician, a qualified mental health professional, or a qualified mental retardation professional. The diagnosis shall be current within one year of the child's 18th birthday.

Complete the IV-E checklist to determine if the child remains eligible for the subsidy past the child's 18th birthday, through age 21.

Transfer of Cases

Responsibility for a subsidy case may change when a family lives or moves out of a Department service area, but it is not automatic. The transfer shall be determined by factors such as the family's location, the timing of a move in relation to the adoption process, and case responsibility for the child.

When a family moves out of state, the Iowa worker shall continue to be responsible for the adoption subsidy. See [ICAMA](#) guidelines.

Observe the following guidelines unless the areas involved agree to an exception:

- ◆ When a child is placed in another Department service area for adoption, or when a family moves to another Department service area during the adoption process, the placing area retains subsidy case responsibility until the presubsidy application and subsidy agreement are completed. Then you may transfer the case to the area of residence.
- ◆ When a child is placed in an out-of-state adoptive home, or the adoptive family moves out of state during the adoption process, the placing Department service area retains responsibility for provision of subsidized adoption services.
- ◆ When a family moves to another service area after an adoption is finalized, transfer case responsibility to the new area.
- ◆ If the placement is at risk, it may be in the best interest of the child to retain the placing worker until problems are stabilized or resolved.
- ◆ If the family requests that the placing worker retain the case responsibility until the adoption is finalized in a short time, it may be in the best interest of the child to comply with the request.

When responsibility for a subsidy case changes from one Department service area to another:

- ◆ Submit form [470-3003](#), *Transfer of Subsidized Adoption Case*, to the service area manager in the receiving area.
- ◆ Send the entire subsidy case record with the transmittal form, so that the case can be assigned.
- ◆ Notify the family of the transfer of the case, the change of workers, and the reason for the change by the worker transferring the case.

Termination of Subsidy

The subsidy agreement shall terminate when any of the following occur:

- ◆ The adoptive child no longer meets the definition of "child."
- ◆ The terms of the agreement have reached conclusion.
- ◆ The adoptive family requests termination of the subsidy.
- ◆ The adoptive parents are no longer legally responsible for the child (i.e., the family is no longer the child's legal guardian, or the adoptive family's parental rights have been terminated).
- ◆ The family experiences the death of the child, or death of the parents of the child (one parent in a single-parent family; both in a two-parent family).
- ◆ The child marries.
- ◆ The adoptive parents are no longer using the maintenance payments to support the child.

Verification, such as a written or verbal statement from one of the adoptive parents or other documentation, is necessary for all termination reasons.

Complete a timely *Adoption Notice of Decision*, form [470-0745](#), and provide it to the family before the termination of a subsidy.

Close the subsidy case if termination is due to the child's majority, marriage, or death or due to the conclusion of the terms of the agreement.

If the reason for termination is that the adoptive parent's request, loss of legal responsibility, or failure to use the subsidy for the child, the case becomes inactive, but the subsidy can be reinstated. See [Reinstatement of Subsidy](#), below. If the case is potentially eligible for reinstatement, maintain the case in an inactive status.

Placement in a Residential Setting

The subsidy agreement cannot be modified unless the adoptive parents agree to the modification. When an Iowa child enters a foster care or other residential setting, and the family agrees, re-negotiate the adoption subsidy agreement to suspend the subsidy payment or reduce it to an amount necessary to meet the specific child's needs, such as the transportation for the parents to participate in therapy sessions.

The case remains active, as there may also be a need for special services. Parents who adopt a child through the subsidized adoption program are not assessed parental liability for Iowa's cost for foster care placement of the child.

NOTE: Psychiatric medical institutions for children (PMICs) are funded by Medicaid. Therefore, federal Medicaid rules apply regarding client participation. When a child in a subsidized adoption placement enters a PMIC, any subsidy payment that the adoptive family receives above \$50 must be applied to the client participation fee. The facility is responsible for collecting the participation fee from the adoptive parents.

When the child leaves the residential setting, and the subsidy was suspended or reduced, re-negotiate the adoption subsidy agreement.

Reinstatement of Subsidy

Reinstate subsidy when:

- ◆ The reason for termination no longer exists, and
- ◆ The subsidy was terminated because:
 - The adoptive parents requested it.
 - The adoptive parents were no longer legally responsible for the child.
 - The adoptive parents were no longer using the maintenance payments to support the child.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

March 28, 2008

GENERAL LETTER NO. 17-F(1)-1

ISSUED BY: Bureau of Child Welfare,
Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter D(1), **PERMANENT PLACEMENT PROCEDURES**, Title page, new; Contents (pages 1 and 2), new; and pages 1 through 47, new.

Summary

Employees' Manual Chapter 13-C, **ADOPTION SERVICES**, and Chapter 13-C(1), **ADOPTION SUBSIDY**, have been redesigned into policy, procedure, and practice guidance subchapters reflecting the phase in the life of a child welfare case pertinent to permanent placement. The new permanent placement chapters are:

- ◆ 17-F, **PERMANENT PLACEMENT POLICY**, which contains succinct, "high level" statements that summarize the essence of the associated laws, rules, and Department-required practice.
- ◆ 17-F(1), **PERMANENT PLACEMENT PROCEDURES**, which tells what the Department service worker should do in the logical order of when and how to do the work.
- ◆ 17-F(2), **PERMANENT PLACEMENT PRACTICE GUIDANCE**, which provides background information to support the procedures or policy and the clinical or programmatic rationale for the actions that are required.
- ◆ 17-F(3), **ADDITIONAL PERMANENT PLACEMENT INFORMATION**, which contains information that is lengthy or used only in specific situations. These topics may be accessed through hypertext links in the policy, procedure, or guidance chapters.

Hypertext links in all of the chapters connect to the other permanent placement chapters, additional information on a topic, or a specific form or tool. These procedures are in addition to the general procedures given in the case planning and case management chapters.

Procedure Changes

Procedure changes reflected in the chapter include:

- ◆ Iowa KidsNet is now providing adoption services that were previously provided by Department staff. Iowa KidsNet is the agency that holds the statewide contract for recruitment and retention of foster and adoptive families. Iowa KidsNet is responsible for orientation, record checks, training, home studies, and support of adoptive families.
- ◆ Adoption services are no longer purchased through *Purchase of Social Services Agency Contracts*. These services have been incorporated into the statewide competitive bidding processes for recruitment and retention of foster and adoptive families and for family safety, risk, and permanency services.
- ◆ Adoption cases are no longer entered in SRS as "E" cases.

Effective Date

Upon receipt.

Material Superseded

None.

Additional Information

Refer questions about this general letter to your area service administrator.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

June 13, 2008

GENERAL LETTER NO. 17-F(1)-2

ISSUED BY: Bureau of Child Welfare, Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter F(1), **PERMANENT PLACEMENT PROCEDURES**, pages 23 and 33, revised.

Summary

This letter reflects the increase in foster care maintenance rate authorized by 2008 Iowa Acts, Senate File 2425. These rates maintain the basic maximum foster care maintenance paid for family foster care homes at 65% to 70% of the USDA estimate of the cost to raise a child in the Midwest. These rates also set the maximum maintenance subsidy rate paid to adoptive families. The new daily subsidy maintenance rates effective July 1, 2008, are as follows:

Age of Child	Basic Daily Rate	Maintenance Plus \$5.00 Per Day	Maintenance Plus \$10.00 Per Day	Maintenance Plus \$15.00 Per Day
0-5 years	\$16.36	\$21.36	\$26.36	\$31.36
6-11	17.01	22.01	27.01	32.01
12-15	18.62	23.62	28.62	33.62
16-20	18.87	23.87	28.87	33.87

The letter also transmits a correction to the phone number of the contact person in the Division of Child and Family Services for questions regarding microfiche or storage of adoption records. The correct number is 515-281-5657.

Effective Date

July 1, 2008

Material Superseded

Remove from Employees' Manual, Title 17, Chapter F(1), pages 23 and 33, dated March 28, 2008, and destroy them.

Additional Information

The FACS System will automatically make the rate increase. All amounts greater than \$0.00 will be changed to the maximum rate for the child's age. FACS will inform field staff when the program to increase the rates will run.

Since the rate increase reflects an across-the-board change, it is not necessary to complete a new *Adoption Subsidy Agreement* until the family request a review.

Refer questions about this general letter to your area social work administrator.